

PHARMACY BOARD[657]

Notice of Intended Action

Proposing rule making related to abuse identification and reporting training and providing an opportunity for public comment

The Board of Pharmacy hereby proposes to amend Chapter 2, “Pharmacist Licenses,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 147.76.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2019 Iowa Acts, House File 731.

Purpose and Summary

During the 2019 Legislative Session, changes were made to the Iowa Code relating to training of health care professionals who qualify as mandatory reporters. The proposed amendments reflect the changes made to the Iowa Code.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on September 3, 2019. Comments should be directed to:

Sue Mears
Board of Pharmacy
400 S.W. 8th Street, Suite E
Des Moines, Iowa 50309
Email: sue.mears@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend rule 657—2.16(235B,272C) as follows:

657—2.16(235B,272C) Mandatory training for identifying and reporting abuse. “Mandatory training for identifying and reporting abuse” means training on identifying and reporting child abuse or dependent adult abuse required of a pharmacist who qualifies as a mandatory abuse reporter under Iowa Code section 232.69 or 235B.16. A licensed pharmacist shall be responsible for determining whether or not, by virtue of the pharmacist’s practice or employment, the pharmacist qualifies as a mandatory abuse reporter under either or both of these sections.

2.16(1) Training required. A licensed pharmacist who qualifies as a mandatory abuse reporter shall have completed ~~approved~~ abuse education training provided by the Iowa department of human services as follows.

a. Mandatory reporter of child abuse. A pharmacist who qualifies as a mandatory reporter of child abuse shall have completed two hours of training in child abuse identification and reporting within ~~the previous five years~~ six months of initial employment or self-employment. The pharmacist shall complete at least one hour of additional child abuse identification and reporting training every three years.

b. Mandatory reporter of dependent adult abuse. A pharmacist who qualifies as a mandatory reporter of dependent adult abuse shall have completed two hours of training in dependent adult abuse identification and reporting within ~~the previous five years~~ six months of initial employment or self-employment. The pharmacist shall complete at least one hour of additional dependent adult abuse identification and reporting training every three years.

e. Mandatory reporter of child abuse and dependent adult abuse. A pharmacist who qualifies as a mandatory reporter of child abuse and dependent adult abuse may complete separate courses pursuant to paragraphs “a” and “b” or may complete, within the previous five years, one combined two-hour course that includes curricula for identifying and reporting child abuse and dependent adult abuse.

2.16(2) No change.

2.16(3) Mandatory training records. A pharmacist subject to the requirements of this rule shall maintain documentation of completion of the mandatory training for identifying and reporting abuse, including dates, subjects, duration of programs, and proof of participation, for ~~five~~ three years following the date of the training. The board may audit this information at any time within the ~~five-year~~ three-year period.

2.16(4) Approved programs. ~~“Approved abuse education training” means a training program using a curriculum approved by the abuse education review panel of the Iowa department of public health.~~